

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA, et al.,

Plaintiff,

v.

STATE OF WASHINGTON, et al.,

Defendant.

No. C70-9213-RSM

Subproceeding No. 17-3

**STIPULATION AND ORDER  
EXTENDING DISCOVERY CUTOFF  
FOR A LIMITED PURPOSE**

**NOTE ON MOTION CALENDAR:  
OCTOBER 26, 2020**

**STIPULATION**

Pursuant to the Joint Stipulation and Order Amending Pretrial Schedule, Trial Date and Related Deadlines, March 20, 2020 (Subproceeding 17-3 Dkt. 150), the deadline for completion of all discovery in this matter (the “Discovery Cutoff”) is October 30, 2020.

Pursuant to agreement of the Stillaguamish Tribe of Indians (“Stillaguamish”), the Swinomish Indian Tribal Community (“Swinomish”), the Upper Skagit Indian Tribe (“Upper Skagit”), and the Tulalip Tribes (“Tulalip”) and duly-served notices and amended notices, the Fed. R. Civ. P. 30(b)(6) deposition of Stillaguamish was scheduled for October 26, 2020.

On October 1, 2020, Stillaguamish filed its Motion for Protective Order to Quash Swinomish Indian Tribal Community and Upper Skagit Indian Tribe’s CR 30(b)(6) Deposition Topics 2, 3, and 4, and Memorandum in Support Thereof (Dkt. 156; the “Motion”) seeking

1 relief as described therein relating to the scope of Stillaguamish Rule 30(b)(6) deposition. The  
2 Motion was submitted and noted for consideration on October 9, 2020.

3 On the afternoon of October 22, 2020, Stillaguamish, Swinomish, Upper Skagit, and  
4 Tulalip (the “parties”) conferred and agreed, in the interests of efficiency for all parties and in  
5 light of the pendency of the Motion, to strike the October 26, 2020 date for the Stillaguamish  
6 Rule 30(b)(6) deposition. The parties further agreed to work together, following entry of an  
7 order resolving the Motion, to reschedule the Stillaguamish Rule 30(b)(6) deposition at the  
8 earliest mutually agreeable date and time, including after the currently scheduled Discovery  
9 Cutoff.

10 On October 23, 2020, the Court issued its Order Denying Protective Order (Dkt. 163).

11 The parties seek a limited extension of the Discovery Cutoff solely for the purpose of  
12 conducting the Stillaguamish Rule 30(b)(6) deposition, previously scheduled for October 26,  
13 2020. The parties agree that the Stillaguamish Rule 30(b)(6) deposition may occur after the  
14 Discovery Cutoff, and in any event no later than November 20, 2020. The parties agree that  
15 Swinomish’s second amended deposition notice and Upper Skagit’s amended deposition notice  
16 shall govern the deposition topics. This Stipulation only applies to the Stillaguamish Rule  
17 30(b)(6) deposition.

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DATED: October 26, 2020.

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**STILLAGUAMISH TRIBE OF INDIANS**

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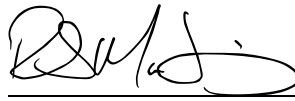
*Attorneys for Upper Skagit Indian Tribe*

**ORDER**

For the limited purpose of accommodating the Fed. R. Civ. P. Rule 30(b)(6) deposition of the Stillaguamish Tribe of Indians, the deadline for completion of discovery in this matter shall be extended to November 20, 2020. All other case deadlines, including the deadline for completion of all other discovery in this matter, shall remain unchanged.

**IT IS SO ORDERED.**

DATED this 27<sup>th</sup> day of October, 2020.



**RICARDO S. MARTINEZ**  
CHIEF UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 26, 2020 I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated this 26<sup>th</sup> day of October, 2020 at Seattle, Washington.



Nate Garberich